# AUSTRIAN WARSHIP REPORTED DISABLED IN RAID TO ITALY

FINA



WEATHER-Fair to-night; Wednesday eloudy

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# AL IS DENI MUST DIE FOR ROSENTHAL MURDER

## ITALIANS INVADE AUSTRIA: **CROSS BORDER NEAR TRIESTE:** FOUR TOWNS ARE CAPTURED

Reports From European Cities Say Kaiser and von Hindenburg Are Hurrying to Lead in War Upon Latest Foes.

ROME, Italy, May 25 (Via Paris).-Official announcement was made by the War Office to-day that Italian forces had penetrated Austria, occupying Caporetto, the heights between the Judrio and the Isonzo and the towns of Cormons, Cervignagno and Terzo.

This announcement indicates that the Italians have avoided a clash in the upper valley of the Adige and the Trentino, where great forces of Austro-German troops are said to be concentrated. Instead, the Italian army has crossed the Austrian frontier more than one hundred miles eastward and appears to be striking at Trieste, the great city which they hope to restore to Italian

(Caporetto, the first town mentioned as having been captured. is about forty-five miles north of Trieste. Cormons is only twentyfive miles from Trieste. It is twenty miles from Caporetto and the same distance from Udine, chief railroad centre in Northeastern Italy. The Isonso River flows from Caperetto southward into the Gulf of Trieste.

The official statement says these operations took place yesterday in court stopped short. Miss Kelly, acthe Austrian crownland of Carniolo and in the Friuli district. It reads as follows:

"On the Carniolo front Austrian artillery opened fire against our positions without results during the day of May 24. Our artil-

"On the Friuli front our troops advanced everywhere and encountered only feeble resistance. We have occupied Caporetto, the heights between the Idria and Isonzo Rivers, Cormons, Cervignano and Terzo. The enemy withdrew, destroying bridges and burning

"Our torpedo destroyers opened fire against the enemy's detachments at the port of Buso, and have disembarked troops. We captured seventy Austrians who had been sent to Venice. Our losses were one dead and some wounded."

The Italian Ministry of Marine has given out the following an-

"A steamer arriving at Barletta reports that while passing near the promontory of Gargano at midnight last night she sighted an Austrian warship with a heavy list. She was escorted by four

"This probably is the warship which was driven off from Bartetta after having fired several shots."

Five or six civilians were killed and a train travelling at full speed was struck by a shell during the Austrian bombardment of the Italian town of Ancona

The fire of the warships damaged part of the railroad station and five engines. The damage to the port was insignificant. That in the town was somewhat more extensive.

#### Holland Protests to Germany Against Sinking of Lusitania

THE HAGUE, Netherlands (via London), May 25 [Associated Press] .-The Government of the Netherlands has sent a note to Germany protesting against the staking on May 7 of the Cunard Line steamer Lucitania by a German submarine. The contents of this note are substantially the same as that in the American communication on the same subject.

The lives of several Dutch subjects were lost when the Lucitania was

## Kaiser and von Hindenburg

LONDON. May 26 according to ian Buttle, promises to direct the reports from Petrograd. The Hague, Ameterdam, Home and other European clies, the Ameter-German been watching the fighting in Galicia is way which they planted a quick said to be now hurrying to the Italian blow by which they hope to trush border. It is reported that about the State Department had agreed to trush border. It is reported that about the State Department had agreed to trush border. It is reported that about the State Department had agreed to trush border. It is reported that about the State Department had agreed to trush border at large and Constitute and Top Hat Romaning and and the trush as the state and Great Bertain regarding and and to the time to place by the state and Great Bertain regarding and and the time to get the place by the state and Great Bertain regarding and and the time to get the place by the state and Great Bertain regarding and and the time to get the place by the state and Great Bertain regarding and the time to get the place by the state and Great Bertain regarding and the state and Great Bertain regarding and and the state and Great Bertain regarding and and the state and Great Bertain regarding an It is asserted that from 700.000 to centrated near that border and reinsolve troops are to be sent to the
front with the German Kaleer on
the field to arouse enthusiasm and
won Mindenburg, here of several
great drives in Poland and the Run

(Continued on Found Page)

the Hallon army at the very start. | \$60,000 midlers have giready teen con- take up with the firstlet Government claim smeety sight, at Hallon twing at

### **EUGENIA KELLY** REPENTS, WEEPS AND WILL BE GOOD

econciled to Her Mother, She Will Visit Her Sister,

Mrs. Thomas.

TAKES COURT'S ADVICE.

Magistrate House Admonishes Girl That Her Mother Is Her Best Friend.

Eugenia Kelly, realizing, after four days, that her mother, Mrs. Edward Kelly, had the right, under the law, to keep her from staying away from this afternoon and in the presence of Magistrate House and a large gathering of her Broadway night moth friends said she was sorry and would not do it again.

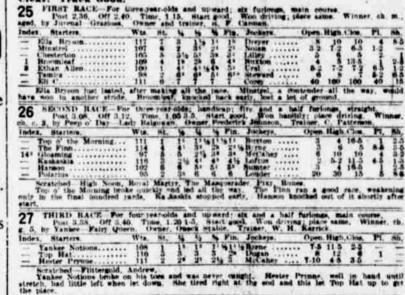
The proceeding in Yorkville Court to have the eighteen-year-old girl declared an incorrigible child, likely to become depraved, and to have her placed under the guardianship of the companied by her mother and Mrs. Ralph H. Thomas, her sister, went to Mrs. Thomas's city home, weeping. She will live with Mrs. Thomas at Sands Point for a month or more unpublic scandal of the last few days. and from the days which preceded it and brought it on.

When Miss Kelly walked into afternoon she was dressed becomingly third. Time. 1.053-5. She were large black earrings and a to 1, first; Top Hat, even, place, sec. An hour later, Policeman Connolly big blue leghorn hat, and there was a murmur of admiration from her gay friends, whose automobiles filled Fifty-seventh Street in front of the court house. She looked very unlike May 25. Pleasant weather swelled the a young woman about to declare her

John F. McIntyre, who had been at

## U. S. AND BRITAIN

#### EVENING WORLD RACE CHART MRS. DUNPHY OUT



# the type of men Mayor Gaynor used to call "wine guzzlers," broke down

Pleasant Weather Swells the Crowd to 6,000-Track

Is Still Heavy.

#### BELMONT WINNERS.

THIRD RACE-Yankes Molions, 2 men ran from the saloon.

RELMONT PARK NEW YORK

eaving Knekaskia the favorite. When SETTLE ALL DISPUTES the parties shot up Top of the Morn-

## USE STOMACH PUMP TO

Owen Patten, in an effort to recover a \$200 diamond Patten swallowed today, after stealing it from the hand supervising the task.

FIRST RACE-Elia Bryson, 10 to 1, while Patten grasped her hands. On it down, it is charged. Then both intendent.

#### **WOODBINE RESULTS.**

crowd here to-day to about 6,000. The 1500 added. Thorncliffe Plate: one mile track was still heavy. Everything and a quarter.-Jim O., 144 (Elliott), John F. McIntyre, who had been at the house of Mrs. Thomas, No. 275 the house of Mrs. Thomas, No. 275 the opening event. When it came to the opening event. When it came to the opening event. When it came to the race Elia Bryson jumped away in front and was never headed, though is spie, the attorney who supplanted her former lawyer, Frank L. Crocker, when the latter was taken with typhold fever yesterday, rose and told Magistrate House that Mr. Gillespie, with whom he was completely in action was along in time to get the show money. The well-played Magistrate House that Mr. Gillespie, with whom he was completely in action was along in time to get the show money. The well-played Broomleaf was knocked back early and could not make up for the interference.

Won: Epona, 145 (McGee), third. Time, 154-15 filled Cage also ran Two-dollar mutueis paid Jim O, straight. Spicollar mutueis paid spin of the park, 145 (McGee), third. Time, 154-15 filled Cage also ran Two-dollar mutueis paid Jim O, straight. Spicollar mutueis paid spin of the park, 145 (McGee), third. Time, 154-15 filled Cage also ran Two-dollar mutueis paid Jim O, straight. Spicollar mutueis paid spin of the park, 145 (McGee), third. Time, 154-15 filled Cage also ran Two-dollar mutueis paid Jim O, straight. Spicollar mutueis paid spin of the park, 145 (McGee), third. Time, 154-15 filled Cage also ran Two-dollar mutueis paid Jim O, straight. Spicollar mutueis paid spin of the park, 145 (McGee), third. Time, 154-15 filled Cage also ran Two-dollar mutueis paid spin of the park, 145 (McGee), third. Time, 154-15 filled Cage also ran Two-dollar mutueis paid spin of the park, 145 (McGee), third. Time, 154-15 filled Cage also ran Two-dollar mutueis paid spin of the park, 145 (McGee), third. Time, 154-15 filled Cage also ran Two-dollar mutueis paid lost (McGee), third. Time, 154-15 filled Cage also ran Two-dollar mutueis paid spin of the park, 155-15 for the park, 155-15 filled Cage also ran Two-dollar mutueis paid spin of the park, 155-15 filled Cage also ran Two-doll was regarded as having a chance in won; Epons, 145 (Hodgeon), second:

#### BELMONT ENTRIES.

RACE TRACK, BELMONT PARK, Aminanador Page and Sir Edward

The Finn offered errong contention in the final acteenth, but he was not good enough to catch the foliation of the final acteenth, but he was not good enough to catch the foliation of the final acteenth was not good enough to catch the foliation of the final acteenth was not good enough to catch the foliation of the special file access to the present at the manner of the charge is too atrong. In other words, Mr. Wright admits that the catch of the present at the monten in or good access that Mrs. Dunphy had shad on the access to the present at the monten in the charge is too atrong. In other words, Mr. Wright admits that the catch of the charge is too atrong. In other words, Mr. Wright admits that the charge is too atrong. In other words, Mr. Wright admits that the charge is too atrong. In other words, Mr. Wright admits that the charge is too atrong. In other words, Mr. Wright admits that the charge is too atrong. In other words, Mr. Wright admits that the charge is too atrong. In other words, Mr. Wright admits that the charge is too atrong. In other words, Mr. Wright admits that the charge is too atrong. It is not ever that Mrs. Dunphy had "personal knowledge of the present in the charge is too atrong."

LONDON, Mr. Tarker Notions, Top Hat and Health and Health and the charge is too atrong in the charge is too atrong the charge is too atrong. It is not ever that Mrs. Dunphy failed the charge is too atrong the charge is too at the charge is too atrong the charge is er and von Hindenburg

To Lead Troops Against Italy

N. May 25 according to lan Builte, promises to direct the program of the 111 " Woman Steer by in the same ward.

## AFTER KINGSBURY FINDS HER GUILTY

Served 23 Years Without Complaint as Head of Randall's Island Hospital.

WILL APPLY FOR WRIT.

Commissioner Doesn't Find Her Guilty of the Charges of Cruelty.

Mrs. Mary C. Dunphy, who had een superintendent of the New York City Childrens' Hospital and School on Randall's Island for twenty-three years without complaint or criticism until Charities Commissioner Kings day by First Deputy Commissione Henry C. Wright, Mr. Kingsbury to

out of the city. Mr. Wright found Mrs. Dudphy guilty of six of the eight charges made against her by the Commis Patten and a man he says is Pat-rick Relliy entered the saloon of head of the hospital and school Mrs. Samuel Blank, at No. 75 Clay Street, Dunphy was repeatedly commended to-day and were refused liquor. En- by the State Board of Charities, by raged. Patten struck the bartender various Charities Commissioners and several blows on the face, it is al- by public and private organization leged. Mrs. Blank ordered the men and investigators for her efficient and

to leave. Reilly seized the woman, sympathetic treatment of her charges Mrs. Dunphy is to be succeeded by Blank says, and then raised her hand or six months, Deputy Wright says, SECOND RACE-Top o' Th' Morn- to his mouth and bit the diamond until arrangements can be made in ing, 16 to 5, first; The Finn, 8 to 5, from the ring. Rather than risk conformity with civil service requirecourt before Magistrate House this place, second; Gloaming, 3 to 2, show, stowing it in a pocket, Patten guiped ments to select a permanent super-

> A copy of the charges was this morning served on Mrs. Dunphy, who is at ond; Hester Prynn, out, show, third, arrested Patten in Washington Park, least seventy years old. She made no comment, but it is understood that through her counsel, Elihu Root jr. and Emory R. Buckner, she will ap-PIRST RACE-Hunters' flat handleap; the action of Mr. Wright, who was her trial judge.

There are eight specifications in the omplaints against Mrs. Dunphy. The first, charging ber with permitting brutal and inhuman treatment under her, and the second, charging her with permitting attendants to the the hands of inmates and to use restraining sheets without the order of a phy-"I find many affidavite and repor

in the records of the department which establish that such practices were current and often repeated, says Mr. Wright, "and she should have prevented them." But Mr. Wright adds that he tainks the word-

feeble-minded children. One detail is Telegraphs to District Attorney Shapire drove it. Hose gave himself tients suffering from entirely dif. ALHANY N. Y. May 15 -Steports next day Stone "equented." Analous to

second Time He Teles to Die.

For the second line in two weeks they must enforce the law. Incrict Attorney Whitman announced James Tions, fifty, a (iteman out of "] shall hold you atrictly account the comes of the slavers. They were nork altempted to commit saide to able for any failure to enforce the "top the Blood" Morowitz, nie fint at No. \$6 State Avenue & day statutes probibiting gambling in the Louis" Resemberg. "Whitey Lewis the daughter May returning from State of New York" the daughter May reducing from statutes producting gambling to the work found that in both conditions with state of New York.

If the telegraphed District Attorney Cirofiel I to day and was made a prisoner charged Louis Smith and Shoriff Stephen this time.

Whitms

## ONE JUDGE DISSENTS; SIX DECREE BECKER HAD A FAIR TRIAL

Court Will Not Substitute Conclusion on Evidence-Testimony Regarding the Famous "Harlem Conference" Is Held Worthy of Belief.

#### ONLY HOPE NOW RESTS IN U. S. COURT OR GOVERNOR.

ALBANY, May 25 .- The Court of Appeals denied to-day a third rial to Charles Becker, former New Work City police lieutenant, who was twice convicted of instigating the murder of Herman Rosenthal, the gambler.

Becker must now die in the electric coair unless he can obtain Executive elemency from Gov. Whitman, who, as District Attorney, prosecuted him, or the United States Supreme Court interferes by habeas corpus or otherwise.

Willard Bartlett, Chief Judge, wrote the prevailing opinion and Judges Hiscock, Chase, Collin, Cuddeback and Cardoso concurred. Judge Hogan dissented. Judge Samuel Seabury, who as a Supreme Court Justice pre-

sided at Becker's second trial, did not sit on the case in the higher court. Judge Bartlett held that although the first judgment of death against first; Minstrel, 6 to 5, place, second; her left hand was a diamond ring, Joseph Flick, Superintendent of the defendant was reversed because he did not have a fair trial, the

The opinion says:

"Extensive as is the power of review vested in this court on a judgment of death, the law does not intend to substitute the conclusions of fact which may be drawn by seven judges for the conclusion of fact which have been drawn from the evidence by twelve jurors, unless we are clear that the view of the facts taken by the jury is wrong.

"It is our duty to affirm if the trial was fair and without legal error and the verdict was not against the weight of evidence. We are to see to it that the trial was fair and that there was sufficient evidence with recognized rules of law to support the verdict. This done, the responsibiljurors.

"Guiding our action by these established principles of criminal procedure in capital cases, we do not feel justified in interfering with the verdict." The opinion held that the testim

of "Bridgie" Webber, "Raid Jack"
Rose and Harry Vallon regarding the
so-called "Harlem conference," at
which the murder of Rosenthal was said to have been planned, was true and that it was corroborated on the second trial by James Marshall, the

The testimony of Deputy Police Commissioner George A. Dougherty and Charles B. Pitt, commonly known as "Becker's press agent," also was

#### Three-Year Fight for Becker, Twice Convicted of Murder

Charles Hecker was first drawn pub- | with grafting. lically into the trouble that finally reing the murder of Herman Rosenthal,

#### WHITMAN ORDERS LAW ENFORCED AT BELMONT

and Sheriff to Prohibit Gambling

ferent infectious diseases were kept that guarding in the races at Bet- clear himself he confessed that he had most Park, Naneau County, is flour. hired the car and also had employed selling to-day caused Gov. Whitman four gunmen belonging to "Hig Jack" to notify the authorities there that Zetie's gang to commit the murde

Five days later at 2 A. M. on July suited in his conviction for instignt- 16 finenthal was shot dead. Later that day he was to have appeared begambler on July 11, 1912. On that day fore the District Attorney with affi-Rosentha' publicly charged Becker duvits supporting his charge of grafting against Becker Shapire and Libby, owners of the

car in which the murderers made their eacaps after slaying Losenthal. were the first arrested. They declared that Jack Bose, a gambler, up and "Bridgie" Webber was at rested shortly after.

Stone was charged with murder. The He telegraphed District Attorney Cirofici. Harry Vallon was arrested at